

VERSION OF AMENDMENTS WITH MARKINGS TO SHOW CHANGES:

IN THE CLAIMS:

1. (Four Times Amended) [An apparatus for holding paint] A paint storage container comprising:
  - a. a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base;
  - b. a frame [for] holding the paint storage compartments; and
  - c. means for dispensing removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments.
3. (Amended) The [apparatus for holding paint] paint storage container as claimed in claim 1 wherein the means for dispensing paint includes a spigot assembly.
4. (Amended) The [apparatus for holding paint] paint storage container as claimed in claim 1 wherein the frame includes mounting slots [in the back] for mounting the frame on a wall.
5. (Three Times Amended) The [apparatus for holding paint] paint storage container as claimed in claim 1 further comprising:
  - a. one or more lids [for selectively] covering the paint storage compartments; and
  - b. means for stirring removeably coupled to the lids for stirring the paint stored in the paint storage compartments [when the lids are covering the paint storage compartments].
6. (Twice Amended) The [apparatus for holding paint] paint storage container as claimed in claim 5 wherein the means for stirring further comprises:
  - a. a circular base having a central axis, wherein the circular base is configured for rotating about the central axis;
  - b. a rod coupled to the circular base at the central axis such that the rod spins when the circular base is rotated about the central axis; and

- c. a stirring fan apparatus removeably coupled to the rod and having a plurality of fins which extend outwardly from the stirring fan apparatus and rotate about the central axis when the circular base is rotated for stirring the paint contained within the paint storage compartments.

7. (Three Times Amended) [An apparatus for storing paint] A paint storage container comprising:

- a. a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base;
- b. a frame [for] holding the paint storage compartments;
- c. one or more lids [for] covering the paint storage compartments; and
- d. a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartments [when the lids are covering the paint storage compartments].

9. (Amended) The [apparatus] paint storage container as claimed in claim 7 wherein the frame includes mounting slots [in the back] for mounting the frame on a wall.

10. (Twice Amended) The [apparatus] paint storage container as claimed in claim 7 wherein the stirring assembly comprises:

- a. a circular base configured for rotating about a central axis;
- b. a rod coupled to the circular base at the central axis such that the rod spins when the circular base is rotated about the central axis;
- c. a stirring fan apparatus removeably coupled to the rod for stirring paint contained within the paint storage compartments, wherein the stirring fan apparatus includes a plurality of fins which extend outwardly from the stirring fan apparatus and rotate about the central axis when the circular base is rotated.

11. (Three Times Amended) [An apparatus for storing paint] A paint storage container comprising:

- a. a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base;
- b. a frame [for] holding the paint storage compartments;

- c. a dispensing mechanism removably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the dispensing mechanism is capable of dispensing paint without lifting the paint compartments;
- d. one or more lids [for] covering the paint storage compartments; and
- e. a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartments.

13. (Amended) The [apparatus] paint storage container as claimed in claim 11 wherein the dispensing mechanism includes a spigot assembly.

14. (Amended) The [apparatus] paint storage container as claimed in claim 11 wherein the frame includes mounting slots for mounting the frame on a wall.

15. (Amended) The [apparatus] paint storage container as claimed in claim 11 wherein the stirring assembly comprises:

- a. a circular base configured for rotating about a central axis;
- b. a rod coupled to the circular base at the central axis such that the rod spins when the circular base is rotated about the central axis; and
- c. a stirring fan apparatus removeably coupled to the rod and having a plurality of fins which extend outwardly from the stirring fan apparatus and rotate about the central axis when the circular base is rotated.

16. (Four Times Amended) A reusable paint container comprising:

- a. a plurality of paint compartments for storing paint;
- b. a body [for] holding the paint compartments having a front, a back, a planar first side and a planar second side;
- c. one or more lids removeably coupled to the paint compartments having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side;
- d. a stirring mechanism removeably coupled to the outer side of the lids having an integrally formed rod located at a central axis of the stirring mechanism, wherein the rod is positioned through the aperture in the lids to extend into the paint compartment [when the lids are positioned over the paint compartments]; and

- e. a fan apparatus removeably coupled to the rod of the stirring mechanism on the inner opposite side of the lids.

22. (Four Times Amended) A reusable paint container comprising:

- a. a body having a first side, [and] a second side, [wherein the body is for holding paint within] and a plurality of integral paint compartments, each of the paint compartments having a front, a back, a planar first side and a planar second side;
- b. one or more lids removeably coupled to the paint compartments each having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side;
- c. a stirring mechanism removeably coupled to the outer side of the lids having an integrally formed rod located at a central axis of the stirring mechanism, wherein the rod is positioned through the aperture in the lids [to extend] extending into a corresponding paint compartment [when the lid is positioned over the corresponding paint compartment]; and
- d. a fan apparatus removeably coupled to the rod of the stirring mechanism on the inner opposite side of the lid.

**REMARKS**

Applicants respectfully request further examination and reconsideration in view of the amendments made above and comments set forth fully below. Claims 1, 3-7, 9-11 and 13-28 were pending. Within the Office Action, all of the Claims 1, 3-7, 9-11 and 13-28 have been rejected. By the above amendment, Claims 1, 3-7, 9-11, 13-16 and 22 have been amended. Claims 1, 3-7, 9-11 and 13-28 are pending.

**Rejections Under 35 U.S.C. § 112**

Within the Office Action, Claims 1, 3-7, 9-11 and 13-28 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is stated within the Office Action that the independent Claims 1, 7, 11 and 16 are rendered indefinite by the phrase "for holding the paint storage compartments." Per the suggestion within the Office Action, the term "for" has been deleted from each occurrence of this phrase in the independent Claims 1, 7, 11 and 16.

It is also stated within the Office Action that the Claims 7 and 11 are rendered indefinite by the phrase "for covering the paint storage compartments." Per the suggestion within the Office Action, the term "for" has been deleted from each occurrence of this phrase in the Claims 7 and 11. It is further stated within the Office Action that Claim 7 is further rendered indefinite by the phrase "when the lids are covering the paint compartments." Per the suggestion within the Office Action, the phrase "when the lids are covering the paint compartments" has been deleted from Claim 7.

It is stated within the Office Action that Claim 5 is rendered indefinite by the phrases "for selectively covering the paint storage compartments" and "when the lids are covering the paint storage compartments." Per the suggestion within the Office Action, the term "for selectively" and the phrase "when the lids are covering the paint storage compartments" have been deleted from Claim 5.

It is stated within the Office Action that Claim 16 is considered indefinite because the phrase "when the lids are positioned over the paint compartments" appears to contradict the positive recitation "lids removably coupled to the paint compartments." Per the suggestion within the Office Action, the phrase "when the lids are positioned over the paint compartments" has been deleted from Claim 16.

Regarding Claim 22, it is stated within the Office Action that the paint compartment is not explicitly recited as an element. Per the suggestion within the Office Action, Claim 22 has

been amended to include an explicit recitation of "a plurality of integral paint compartments" as an element. Further, as per the suggestion within the Office Action, in subparagraph "c" of Claim 22, the phrase "when the lid is positioned over the corresponding paint compartment" has been deleted and the term "to extend" has been changed to the term "extending."

It is stated within the Office Action that in Claims 4 and 9 there is a lack of antecedent basis for the term "the back" of the frame. Per the suggestion within the Office Action, by the above amendment, the term "the back" of the frame, has been deleted from Claims 4 and 9.

For at least these reasons, applicant submits that the Claims 1, 3-7, 9-11 and 13-28 are definite and do particularly point out and distinctly claim the subject matter which applicant regards as the invention.

### **Rejections Under 35 U.S.C. § 102**

Claims 1 and 3 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,673,817 to Mullen et al. (hereinafter "Mullen"). The Applicant respectfully disagrees. Mullen teaches an all-purpose dispenser for liquids such as milk, cream and juices, and bulk products such as condiments and salad dressings. Mullen teaches that the dispensing unit is for dispensing liquid products such as milk, cream, juices, iced tea, water, liquid eggs, fruit drinks, lemonade, wine, and other liquids, and for dispensing bulk products such as salad dressings and condiments including ketchup and mustard. [Mullen, Abstract] The problem identified by Mullen in the description of the prior art is that previous food service dispensers encountered problems because of limited counter space as in a diner, and with limited dispensing versatility and flexibility. [Mullen, col. 1, lines 17-32] Mullen does not teach a paint storage container for storing and dispensing paint. Mullen also does not make obvious a paint storage container for storing and dispensing paint. The issues with storing and dispensing paint are very different than storing and dispensing food products in a diner-type atmosphere.

In contrast to the teachings of Mullen, the present invention is directed towards a paint storage container including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Mullen, the present invention teaches a dispensing means for dispensing paint

without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Mullen does not teach a paint storage container including a plurality of paint storage compartments.

Within the Office Action Ex Parte Thilbault is cited for the proposition that, while Claim 1 discusses "paint," it is as an intended operation and is therefore of no significance. The applicant respectfully disagrees. Claim 1 does not merely discuss paint, but is specifically directed to a paint storage container. This is more than an intended operation, but specifically defines the type of apparatus that is claimed. Mullen does not teach or make obvious a paint storage container.

The independent Claim 1 is directed to a paint storage container. The paint storage container of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Mullen does not teach or make obvious a paint storage container. Further, Mullen does not teach or make obvious a plurality of paint storage compartments for storing paint, a frame holding the paint storage compartments and a means for dispensing. For at least these reasons, the independent Claim 1 is allowable over the teachings of Mullen.

Claim 3 is dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Mullen. Accordingly, the dependent Claim 3 is allowable as being dependent on an allowable base claim.

Claims 1, 3 and 4 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,842,606 to Devito (hereinafter "Devito"). The Applicant respectfully disagrees. Devito teaches a beverage server. Devito explicitly teaches that his invention relates generally to drink serving devices, and, more specifically, to a beverage server able to provide a user with a desired number of drink selections. [Devito, col. 2, lines 10-12] Devito does not teach a paint storage container for storing and dispensing paint. Devito also does not make obvious a paint storage container for storing and dispensing paint. The issues with storing and dispensing paint are very different than storing and dispensing beverages.

In contrast to the teachings of Devito, the present invention is directed towards a paint storage container including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing

the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Devito, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Devito does not teach a paint storage container including one or more paint storage compartments.

Again, within the Office Action, Ex Parte Thilbault is cited for the proposition that, while Claim 1 discusses "paint," it is as an intended operation and is therefore of no significance. The applicant respectfully disagrees. Claim 1 does not merely discuss paint, but is specifically directed to a paint storage container. This is more than an intended operation, but specifically defines the type of apparatus that is claimed. Devito does not teach or make obvious a paint storage container.

The independent Claim 1 is directed to a paint storage container. The paint storage container of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Devito does not teach or make obvious a paint storage container. Further, Devito does not teach or make obvious a plurality of paint storage compartments for storing paint, a frame holding the paint storage compartments and a means for dispensing. For at least these reasons, the independent Claim 1 is allowable over the teachings of Devito.

Claims 3 and 4 are both dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Devito. Accordingly, the dependent Claims 3 and 4 are both allowable as being dependent on an allowable base claim.

Claims 1, 3 and 4 have been rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,109,482 to Briggs (hereinafter "Briggs"). The Applicant respectfully disagrees. Briggs teaches a device for dispensing liquid from a bottle. Briggs explicitly teaches that the general purpose of his invention is to provide a soda dispenser for conveniently dispensing soda from a 2-liter bottle or the like. [Briggs, col. 1, lines 30-35] Briggs does not teach a paint



storage container for storing and dispensing paint. Briggs also does not make obvious a paint storage container for storing and dispensing paint. The issues with storing and dispensing paint are very different than storing and dispensing soda in 2-liter bottles.

In contrast to the teachings of Briggs, the present invention is directed towards a paint storage container including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Briggs, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Briggs does not teach a paint storage container including a plurality of paint storage compartments.

Again, within the Office Action, Ex Parte Thilbault is cited for the proposition that, while Claim 1 discusses "paint," it is as an intended operation and is therefore of no significance. The applicant respectfully disagrees. Claim 1 does not merely discuss paint, but is specifically directed to a paint storage container. This is more than an intended operation, but specifically defines the type of apparatus that is claimed. Briggs does not teach or make obvious a paint storage container.

The independent Claim 1 is directed to a paint storage container. The paint storage container of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame holding the paint storage compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Briggs does not teach or make obvious a paint storage container. Further, Briggs does not teach or make obvious a plurality of paint storage compartments for storing paint, a frame holding the paint storage compartments and a means for dispensing. For at least these reasons, the independent Claim 1 is allowable over the teachings of Briggs.

Claims 3 and 4 are both dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Briggs. Accordingly, the dependent Claims 3 and 4 are both allowable as being dependent on an allowable base claim.

Claims 22-27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 5,829,344 to Lande (hereinafter "Lande"). The Applicant respectfully disagrees. Lande teaches a home yogurt/cheese making machine. Lande teaches a home appliance useful in preparing yogurt, soft or hard frozen yogurt or ice cream, and cheese from a starter and either bottled milk or a mixture of dried milk and water as well as other ingredients for providing a desired taste and consistency. [Lande, col. 4, lines 8-14] Lande does not teach a reusable paint container for storing and dispensing paint. Lande also does not make obvious a reusable paint container for storing and dispensing paint. The issues with storing and dispensing paint are very different than an appliance for preparing yogurt. Further, Lande does not teach or make obvious a reusable paint container for storing and dispensing paint including a plurality of paint storage compartments.

In contrast to the teachings of Lande, the present invention is directed towards a reusable paint container including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Lande, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Lande does not teach a reusable paint container including a plurality of paint storage compartments.

The independent Claim 22 is directed towards a reusable paint container. The reusable paint container of Claim 22 comprises a body having a first side, a second side and a plurality of integral paint compartments, each of the paint compartments having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments each having an outer side, an inner opposite side and an aperture located through the lid from the outer side to the inner opposite side, a stirring mechanism removeably coupled to the outer side of the lids, and a fan apparatus removeably coupled to the rod of the stirring mechanism. As discussed above, Lande does not teach a reusable paint container. Lande also does not teach a

body having a plurality of integral paint compartments. For at least these reasons, the independent Claim 22 is allowable over the teachings of Lande.

Claims 23-27 are all dependent on the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Lande. Accordingly, the dependent Claims 23-27 are all allowable as being dependent on an allowable base claim.

Claims 7 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 4,311,017 to Reed et al. (hereinafter "Reed"). The Applicant respectfully disagrees. Reed teaches a thermoelectric jug cooler for changing the temperature of a quantity of liquid. Reed does not teach a paint storage container for storing and dispensing paint. Reed also does not make obvious a paint storage container for storing and dispensing paint. The issues with storing and dispensing paint are very different than changing the temperature of a quantity of liquid.

In contrast to the teachings of Reed, the present invention is directed towards a paint storage container including a plurality of paint storage compartments formed in a downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Reed, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Reed does not teach a paint storage container including a plurality of paint storage compartments.

Again, within the Office Action, Ex Parte Thilbault is cited for the proposition that, while Claim 7 discusses "paint," it is as an intended operation and is therefore of no significance. The applicant respectfully disagrees. Claim 7 does not merely discuss paint, but is specifically directed to a paint storage container. This is more than an intended operation, but specifically defines the type of apparatus that is claimed. Reed does not teach or make obvious a paint storage container.

The independent Claim 7 is directed to a paint storage container. The paint storage container of Claim 7 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a planar first side, a planar second side and a base, a frame holding the paint storage compartments, one or more lids covering the paint storage

compartments and a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartments. As discussed above, Reed does not teach or make obvious a paint storage container. Further, Reed does not teach or make obvious a plurality of paint storage compartments each for storing paint, a frame holding the paint storage compartments, one or more lids covering the paint storage compartments and a stirring assembly removably coupled to the lids for stirring the paint stored in the paint storage compartments. For at least these reasons, the independent Claim 7 is allowable over the teachings of Reed.

Claim 9 is dependent on the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Reed. Accordingly, the dependent Claim 9 is allowable as being dependent on an allowable base claim.

### **Rejections Under 35 U.S.C. § 103**

Claims 1, 3-6, 10, 11, 13-19 and 22-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 4,311,017 to Reed. The Applicant respectfully disagrees. As discussed above, Reed teaches a thermoelectric jug cooler for changing the temperature of a quantity of liquid. Reed does not teach a paint storage container for storing and dispensing paint. Reed also does not make obvious a paint storage container for storing and dispensing paint. The issues with storing and dispensing paint are very different than changing the temperature of a quantity of liquid.

Also as discussed above, in contrast to the teachings of Reed, the present invention is directed towards a paint storage container including a plurality of paint storage compartments formed in downward sloping configuration with each compartment having a spigot coupled to the base for dispensing the stored paint. (Abstract). In one aspect of the present invention, a frame is configured for holding the paint storage compartments. (Specification, page 3, line 22). In another aspect of the present invention, a body is configured for holding the paint compartments. (Specification, page 4, line 7). Moreover, the present invention specifies a means for dispensing removably coupled to the paint storage compartments. (Specification, page 2, lines 18-19). Furthermore, in contrast to the teachings of Reed, the present invention teaches a dispensing means for dispensing paint without having to lift the paint storage compartments from a wall or a resting surface. As discussed above, Reed does not teach a paint storage container including a plurality of paint storage compartments.

The independent Claim 1 is directed to a paint storage container. The paint storage container of Claim 1 comprises a plurality of paint storage compartments each for storing paint having a front, a back, a first side, a second side and a base, a frame holding the paint storage

compartments and a means for dispensing. The means for dispensing is removeably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the means for dispensing is capable of dispensing paint without lifting the paint compartments. As discussed above, Reed does not teach or make obvious a paint storage container which includes a plurality of paint storage compartments each for storing paint. For at least these reasons, the independent Claim 1 is allowable over the teachings of Reed.

Claims 3-6 are all dependent on the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Reed. Accordingly, the dependent Claims 3-6 are all allowable as being dependent on an allowable base claim.

Claim 10 is dependent on the independent Claim 7. As discussed above, the independent Claim 7 is allowable over the teachings of Reed. Accordingly, the dependent Claim 10 is allowable as being dependent on an allowable base claim.

The independent Claim 11 is directed to a paint storage container. The paint storage container of Claim 11 comprises a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base, a frame holding the paint storage compartments, a dispensing mechanism removably coupled to the paint storage compartments for dispensing paint from the paint storage compartments, wherein the dispensing mechanism is capable of dispensing paint without lifting the paint compartments, one or more lids covering the paint storage compartments and a stirring assembly removably coupled to the lid for stirring the paint stored in the paint storage compartments. As discussed above, Reed does not teach or make obvious a paint storage container. Further, Reed does not teach or make obvious a plurality of paint storage compartments each for storing paint and each having a front, a back, a first side, a second side and a base. For at least these reasons, the independent Claim 11 is allowable over the teachings of Reed.

Claims 13-15 are all dependent on the independent Claim 11. As discussed above, the independent Claim 11 is allowable over the teachings of Reed. Accordingly, the dependent Claims 13-15 are all allowable as being dependent on an allowable base claim.

The independent Claim 16 is directed to a reusable paint container. The reusable paint container of Claim 16 comprises a plurality of paint compartments for storing paint, a body holding the paint compartments having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments, a stirring mechanism removably coupled to the outer side of the lids and a fan apparatus removeably coupled to the rod of the stirring mechanism on the inner opposite side of the lids. As discussed above, Reed does not teach or make obvious a reusable paint container. Further, Reed does not teach or make

obvious a plurality of paint compartments for storing paint. For at least these reasons, the independent Claim 16 is allowable over the teachings of Reed.

Claims 17-19 are all dependent on the independent Claim 16. As discussed above, the independent Claim 16 is allowable over the teachings of Reed. Accordingly, the dependent Claims 17-19 are all allowable as being dependent on an allowable base claim.

The independent Claim 22 is directed to a reusable paint container. The reusable paint container of Claim 22 comprises a body having a first side, a second side and a plurality of integral paint compartments, each of the paint compartments having a front, a back, a planar first side and a planar second side, one or more lids removeably coupled to the paint compartments, a stirring mechanism removeably coupled to the outer side of the lids and a fan apparatus removeably coupled to the rod of the stirring mechanism on the inner opposite side of the lid. As discussed above, Reed does not teach or make obvious a reusable paint container. Further, Reed does not teach or make obvious a body having a plurality of paint compartments. For at least these reasons, the independent Claim 22 is allowable over the teachings of Reed.

Claims 23-27 are all dependent on the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Reed. Accordingly, the dependent Claims 23-27 are all allowable as being dependent on an allowable base claim.

Claims 21 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Reed in view of Briggs. The applicant respectfully disagrees with this rejection. Claim 21 is dependent on the independent Claim 16. Claim 28 is dependent on the independent Claim 22. As discussed above, the independent Claims 16 and 22 are both allowable over the teachings of Reed. Accordingly, the dependent Claims 21 and 28 are also both allowable as being dependent on an allowable base claim.

Claim 28 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lande in view of Briggs. The applicant respectfully disagrees with this rejection. Claim 28 is dependent on the independent Claim 22. As discussed above, the independent Claim 22 is allowable over the teachings of Lande and Reed. Accordingly, the dependent Claim 28 is allowable as being dependent on an allowable base claim.

Within the Office Action it is stated that Claim 20 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. As discussed above, Claim 20 has been rewritten per the suggestions in the Office Action to overcome the rejections under 35 U.S.C. § 112, second paragraph. Further Claim 20 is dependent on the independent Claim 16. As discussed above, the independent Claim 16 is allowable over the teachings of Reed.

Accordingly, the dependent Claim 20 is also allowable as being dependent on an allowable base claim.

For the reasons given above, applicants respectfully submit that the Claims 1, 3-7, 9-11 and 13-28 are now in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: February 28, 2003

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents Washington D.C. 20231

HAVERSTOCK & OWENS LLP

Date: 2-28-03 By: Jonathan O. Owens